

REMARKS

The following is supplied in response to the Office Action mailed June 29, 2004, and the references cited therein.

Claim 18 is amended, no claims have been cancelled, and no claims have been added, and as a result claims 18, 19, and 21-23 remain pending in the application. No new matter has been added.

Applicant notes that an interpretation of certain claims is presented on pages 2-3 of the pending Office Action. Applicant respectfully submits that the claim language speaks for itself.

§102 Rejection of the Claims

Claims 18, 19, and 21-23 were rejected under 35 U.S.C. §102(e) as being anticipated by Dai et al. (U.S. Patent No. 6,528,020).

No new matter has been added to the application since the solubility of nanotubes is inherent in embodiments of the invention. For example, hybridization reactions such as those performed in the molecular characterization system of Figure 4, are performed in solution necessitating that the molecular identification assemblies 430 be soluble in a liquid such as water (see, for example, page 5, line 20 through page 6, line 5).

Applicant believes that the present claims are distinguishable from the Dai et al. reference for the following reasons.

Dai et al. teaches the formation of carbon nanotubes at catalyst islands that are attached to a substrate. The resulting carbon nanotubes are also attached to the substrate via the catalytic center. Since the carbon nanotubes of Dai et al. are attached to a substrate they are not capable of solvation in a liquid.

As to the reference made of record but not relied on by the examiner, Bolskar et al. (US 2003/0220518), applicant does not admit that this reference constitutes prior art.

CONCLUSION

Applicants respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

Dated: December 29, 2004

By: 
Farzad E. Amini, Reg. No. 42,261

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(310) 207-3800

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450 on December 29, 2004.


Margaux Rodriguez December 29, 2004